

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No: 11-10342

Hon. Victoria A Roberts

v.

KEVIN JOHNSON,

Defendant.

---

**ORDER DENYING DEFENDANT'S REQUEST FOR HEARING ABOUT THE  
GARNISHMENT AND CLAIM FOR EXEMPTIONS [ECF No. 41] AND ORDER FOR  
GARNISHEE TO PAY**

On September 30, 2016, the United States filed a Writ of Continuing Garnishment, directed to Garnishees B & K Collision Inc. ("B & K") and Michigan Department of Treasury ("MDT"). B & K answered the Writ on October 11, 2016, stating that it was Johnson's employer. The MDT failed to file an answer.

On October 24, 2016, Defendant Kevin Johnson ("Johnson") filed a Request for Hearing about the Garnishment and Claim for Exemptions, in which he asks the Court to place him on a payment plan. The Government filed a response on October 27, 2016, stating that Johnson's request for a payment plan is not a valid objection to garnishment and he can contact the Government's attorney to discuss reducing the weekly payments.

A hearing under the Federal Debt Collection Procedures Act, 28 U.S.C. § 3001, is limited to determining the validity of a claim for exemption, and the Government's

compliance with statutory requirements. Because Johnson does not raise either of these issues, a hearing is unnecessary.

The Court **DENIES** Johnson's Request for Hearing about the Garnishment and Claim for Exemptions and **ORDERS** B & K to pay **25% of non-exempt disposable income weekly** to the U.S. Department of Justice.

**IT IS ORDERED.**

S/Victoria A. Roberts  
United States District Judge

Dated: 11/2/2016